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06 UNITED STATES DISTRICT COURT
07 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

08 UNITED STATES OF AMERICA,) CASE NO. CR95-553-TSZ
09 Plaintiff,)
10 v.) SUMMARY REPORT OF U.S.
11 STEPHEN LEROY SPARKS,) MAGISTRATE JUDGE AS TO
12 Defendant.) ALLEGED VIOLATIONS
OF SUPERVISED RELEASE
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14 An evidentiary hearing on supervised release revocation in this case was scheduled before
15 me on May 7, 2007. The United States was represented by AUSA James D. Oesterle and the
16 defendant by Kenneth E. Kanev. The proceedings were digitally recorded.

17 Defendant had been sentenced on or about January 5, 1996 by the Honorable Thomas S.
18 Zilly for Possession of a Firearm in Relation to a Drug Trafficking Offense, and sentenced to 120
19 months custody, three years supervised release. (Dkt. 40.)

20 The conditions of supervised release included the standard conditions plus the requirements
21 that defendant submit to search, participate in substance abuse treatment and testing, and not
22 associate with any known gang members. Mr. Sparks was released to supervision on May 13,

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2004.

In an application dated March 22, 2007 (Dkt.56), U.S. Probation Officer Tammy M. White alleged the following violations of the conditions of supervised release:

1. Using marijuana on or about February 17, 2007, in violation of standard condition #7.

2. Failing to notify the probation officer within 72 hours of any change in residence or employment, in violation of standard condition #6.

3. Failing to report to the probation officer as directed on or about March 19, 2007, in violation of standard condition #2.

Defendant was advised in full as to those charges and as to his constitutional rights.

Defendant admitted the alleged violations and waived any evidentiary hearing as to whether they occurred. (Dkt. 61.)

I therefore recommend the Court find defendant violated his supervised release as alleged, and that the Court conduct a hearing limited to the issue of disposition. The next hearing will be set before Judge Zilly.

Pending a final determination by the Court, defendant has been released on the conditions of supervision.

DATED this 7th day of May, 2007.



Mary Alice Theiler
United States Magistrate Judge

cc: District Judge: Honorable Thomas S. Zilly
AUSA: James D. Oesterle
Defendant's attorney: Kenneth E. Kanev
Probation officer: Tammy M. White